

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**In re:
THOMAS R. BOSHER JR.,
Debtor**

**Case No. 24-34431-KHK
Chapter 13**

Address: 266 Gwynne Drive
Aylett, VA 23009

Last four digits of SSN: xxx-xx-0632

**NOTICE OF MOTION FOR AUTHORITY TO INCUR DEBT
SECURED BY PERSONAL PROPERTY**

The above named Debtor has filed a Motion for Authority to Incur Debt Secured by Personal Property in this bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

UNDER LOCAL BANKRUPTCY RULE 9013-1, UNLESS A WRITTEN RESPONSE IN OPPOSITION TO THIS MOTION AND SUPPORTING MEMORANDUM ARE FILED WITH THE CLERK OF COURT AND SERVED ON THE MOVING PARTY WITHIN 21 DAYS OF THE SERVICE OF THIS NOTICE, THE COURT MAY DEEM ANY OPPOSITION WAIVED, TREAT THE MOTION AS CONCEDED, AND ISSUE AN ORDER GRANTING THE REQUESTED RELIEF WITHOUT FURTHER NOTICE OR HEARING.

- The written response in opposition to this motion must be filed with the clerk of court at the address shown below. If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Suite 4000
Richmond, VA 23219-3515

Laura T. Alridge (VSB #42549)
Boleman Law Firm, P.C.
P. O. Box 11588
Richmond, VA 23230-1588
Telephone: (804) 358-9900
Counsel for Debtor

- You must also send a copy to:

Boleman Law Firm, P.C.
P. O. Box 11588
Richmond, VA 23230-1588

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Respectfully submitted,

THOMAS R. BOSHER JR.

By Counsel:

/s/ Laura T. Alridge
Laura T. Alridge (VSB #42549)
Boleman Law Firm, P.C.
P. O. Box 11588
Richmond, Virginia 23230-1588
Telephone: (804) 358-9900
Counsel for Debtor

CERTIFICATE OF SERVICE

I certify that on March 12, 2025, I have transmitted a true copy of the foregoing document electronically through the Court's CM/ECF system or by mail to the Debtor, Chapter 13 trustee, the United States trustee if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1, and to all creditors and parties of interest in the mailing matrix attached hereto.

/s/ Laura T. Alridge
Counsel for Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
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**In re:
THOMAS R. BOSHER JR.,
Debtor.**

**Case No. 24-34431-KHK
Chapter 13**

**MOTION FOR AUTHORITY TO INCUR DEBT
SECURED BY PERSONAL PROPERTY**

COMES NOW, Thomas R. Boshier Jr. (the “Debtor”), by counsel, and files this Motion for Authority to Incur Debt Secured by Personal Property, pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Bankruptcy Rule 9013-1. In support thereof, Debtor respectfully states the following:

1. Jurisdiction of this Court over the instant matter is based upon 28 U.S.C. §§ 1334 and 157 in that this action arises in and relates to Debtor's bankruptcy.
2. This proceeding is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (B), (K), and (O).
3. Venue is proper pursuant to 28 U.S.C. § 1409.
4. On November 21, 2024, the Debtor filed a voluntary petition under Chapter 13 of the U.S. Bankruptcy Code.
5. Suzanne E. Wade, Esquire is the Trustee of the Debtor's Chapter 13 bankruptcy estate (the “Trustee”).
6. The Debtor's Chapter 13 Plan, filed on November 21, 2024 (the “Plan”), has been confirmed by the Court. The confirmed Plan requires the Debtor to make the following payments to the Trustee: \$435.00 monthly for 60 months for a total funding of \$26,100.00.

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7. It has recently become necessary for the Debtor to purchase a vehicle. Debtor does not currently have a reliable means of transportation. The Debtor needs a reliable vehicle to travel to and from work and conduct personal business.

8. Debtor filed a previous Motion for Authority to Incur Debt Secured by Personal Property on February 3, 2025. This transaction did not take place.

9. Debtor does not have funds on hand that would allow him to afford the outright purchase of a vehicle. Therefore, Debtor will need to incur debt to finance the purchase of a vehicle.

10. Debtor seeks court approval to enter into a loan agreement with DriveTime or its assigns (the “Loan”) to finance the purchase of a 2023 Chevrolet Trailblazer (the “Vehicle”) or a substantially similar vehicle.

11. The terms of the proposed Loan are as follows:

- a. The total principal amount of the Loan is approximately \$24,081.81;
- b. Interest will be charged at a fixed rate not to exceed 16.45%;
- c. The Loan will be amortized for no more than 72 months; and
- d. The monthly principal and interest payment will be approximately \$485.54.

12. The Debtor will be making a down payment of \$3,500.00 dollars; the source of the down payment will be coming from the Debtor’s savings and employment earnings.

13. The Debtor asserts that incurring this Loan debt will not adversely impact his ability to make the required payments under the Plan.

14. Debtor further requests that the Court waive application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter in order to facilitate the efficient purchase of the Vehicle.

WHEREFORE, Debtor respectfully requests that this Court enter an order (1) granting the instant motion, (2) permitting Debtor to incur the Loan debt set forth herein, or a loan with substantially similar terms, to finance the purchase of the Vehicle or a substantially similar vehicle, (3) waiving the applicability of Federal Rule of Bankruptcy Procedure 6004(h) to the order granting the instant motion, and (4) for such other and further relief as the Court deems proper.

Respectfully submitted,

THOMAS R. BOSHER JR.

By Counsel:

/s/ Laura T. Alridge
Laura T. Alridge (VSB #42549)
Boleman Law Firm, P.C.
P. O. Box 11588
Richmond, Virginia 23230-1588
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Counsel for Debtor

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/s/ Laura T. Alridge
Counsel for Debtor

Bon Secours Medical Group
Richmond Primary Care LLC
PO Box 25319
Belfast, ME 04915-2004

Brock and Scott, PLLC
3825 Forrestgate Dr.
Winston Salem, NC 27103

Capital One
PO Box 31293
Salt Lake City, UT 84030-0281

County of King William
PO Box 217
King William, VA 23086

Credit One Bank
6801 S. Cimarron Road
Las Vegas, NV 89113

Feb - Destiny
PO Box 4499
Beaverton, OR 97076

Freedom Mortgage Corportion
11988 Exit 5 Parkway, Bldg 4
Fishers, IN 46037

KOHL'S/CAPONE
P.O. Box 3115
Milwaukee, WI 53201

Labcorp
Re: Bankruptcy Dept.
PO Box 2240
Burlington, NC 27216

Memorial Regional Medical Cent
8260 Atlee Road
Mechanicsville, VA 23116

Mission Lane/Tab Bank
Po Box 105286
Atlanta, GA 30348

Pathward/Oportun
2 Circle Star Way
San Carlos, CA 94070

Portfolio Recovery Associates
PO Box 41067
Norfolk, VA 23541

SYNCB/Home
PO Box 965036
Orlando, FL 32896

TBOM/Fortiva
PO Box 105555
Atlanta, GA 30348-5555

The Home Depot/CBNA
P.O. Box 6497
Sioux Falls, SD 57117-6497

Upstart Network Inc
2 Circle Star Way
San Carlos, CA 94070